

REMARKS/ARGUMENTS

Claims 1-30 are pending in the application. By virtue of this response, claims 1,6,7,12,15,19,21, and 30 have been amended and claims 2-4,10-11, 13-14, 16, 20, 28, and 29 have been cancelled.

Initially, Applicant acknowledges with appreciation the indication that the subject matter of claims 4,6,11,16,29 and 30 are allowable over the prior art and Applicant has accordingly and appropriately amended/rewritten the subject claims and/or incorporated the allowable subject matter thereof into other selected claims as described below in more detail.

Claims 1-6, 19 and 21-30 currently stand rejected under 35 USC Section 112 as being indefinite.

With regard to the rejection of claims 1-6 under Section 112, Applicant initially notes that independent claim 1 has been amended to incorporate the allowable subject matter of allowable dependent claim 4. As amended to incorporate the subject matter of dependent claim 4, independent claim 1 now recites the combination of the clip and the specific structure of the associated article with which the clip is adapted to be integrated.

The rejection of dependent claim 2 under Section 112 is moot inasmuch as claim 2 has been cancelled without prejudice.

The rejection of dependent claim 6 under Section 112 is moot inasmuch as claim 6 has been indicated to include allowable subject matter and has been appropriately rewritten in independent form to include the subject matter of claim 1 and to recite the subcombination of the clip alone with only functional language implying the clip's use with an article.

The rejection of claims 19 and 21 under Section 112 have been addressed. See amended claims 19 and 21.

Claims 1-3,5,7-10,15 and 17-20 currently stand rejected under 35 USC Section 102(b) as being anticipated by US Patent No. 6,119,732 to Swetish. Claims 7, 12, 13, 21-25, 27 and 28 stand rejected under 35 USC Section 102(b) as being anticipated by US Patent No. 5,419,473 to Lamar. Claim 14 stands rejected under 35 USC Section 103(a) as being unpatentable over Lamar in view of US Patent No. 4,479,595 to Opsal. Claim 26 stands rejected under 35 USC 103(a) as being unpatentable over Swetish in view of Lamar. Claim 21 stands rejected under 35 USC 103(a) as being unpatentable over Lamar in view of US Patent No. 6,182,874 to Feldman, Jr.

The rejections above are traversed and should be withdrawn for the reasons discussed in more detail below.

Initially, and as noted above, independent claim 1 has been amended to incorporate the subject matter of allowable claim 4 (and also the subject matter of claims 2 and 3) and thus claim 1 is now in allowable form.

The rejection with respect to dependent claims 2 and 3 is moot inasmuch as claims 2 and 3 have been cancelled without prejudice and the subject matter thereof incorporated into independent claim 1.

Claim 5, being depended upon allowable amended independent claim 1, is allowable for the same reasons as claim 1.

The rejection with respect to independent claim 7 should be withdrawn because it has been amended to incorporate the subject matter of allowable dependent claim 11.

Claims 8 and 9, being dependent upon allowable independent claim 7, are allowable for the same reasons as claim 7.

The rejection of dependent claim 10 is moot because claim 10 was cancelled and the allowable subject matter thereof was incorporated into independent claim 7.

As noted above, the subject matter of dependent claim 11 has been incorporated into claim 7 and thus claim 11 has been cancelled without prejudice.

Independent claim 12 is allowable as presently amended because it has been rewritten in independent form to recite the subcombination of a support member with functional language implying the support member's use with a golf bag and, more specifically, has been amended to recite that the clip defined by the support member is adapted to be suspended from the through opening defined in the handle of the golf bag, i.e., a handle which is adapted to be grasped by a user for carrying the golf bag.

This amendment does not introduce any new matter and is supported in, for example, FIGURES 13 and 14 and the description on page 16, lines 7-8.

The Examiner has indicated that Lamar discloses a handle (80). The handle (80) however is a clip for the support member, not a handle adapted to be grasped by a user which defines a central through opening from which the clip is suspended as now recited in amended claim 12.

The rejection of dependent claims 13 and 14 is moot because claims 13 and 14 have been cancelled without prejudice.

Independent claim 15 has been amended to incorporate the subject matter of allowable

dependent claim 16 and is thus also now allowable.

Claims 17 and 18, being directly or indirectly dependent upon allowable independent claim 15, are allowable for the same reasons as claim 15.

Dependent claim 19 has been rewritten in independent form to incorporate the subject matter of original independent claim 15 and also to more particularly recite the additional feature of the strap 117 shown in FIGURES 1-3 and described on page 10, lines 10-21 which, as recited in claim 19 as presently amended, extends between the arms of the support member and is adapted to cause the inward pivotal movement of the arms towards each other when the back of the user abuts against the strap when the pack is mounted over the back of the user.

The strap 110 disclosed in Swetish does not anticipate or render obvious the strap of the present invention as now recited in amended claim 19 because the only function of the strap 110 in Swetish is to wrap around the front of the waist of the user and tie the support member and pack to the waist of the user.

The strap of the present invention, on the other hand, does not wrap around the front of the waist of the user but instead is always positioned between the pack and the back of the user so that when the pack is mounted over the back of the user, it comes into abutting contact with the back of the user which causes the strap to move rearwardly which in turn causes the arms connected to the ends of the arms to move laterally inwardly against the waist of the user.

The rejection of claim 20 is moot because claim 20 has been cancelled without prejudice.

Independent claim 21 is allowable because it has been amended to incorporate the

Serial No. 10/767,475
Filed: January 28, 2004

-11-

subject matter of allowable claim dependent claim 29 (and intervening dependent claims 22 and 28).

Claims 22-27, being dependent upon allowable independent claim 21 as presently amended to incorporate the subject matter of allowable dependent claim 29, are allowable for the same reasons as independent claim 21.

Dependent allowable claim 30 has been amended to be dependent upon independent claim 21 rather than dependent claim 29 as originally submitted.

Applicant thus contends that the application is now in condition for allowance in view of the amendments and remarks above. Thus, the allowance of pending claims 1, 5, 6, 7-9, 12, 15, 17-19, 21-27 and 30 and the passing of this application to issue are now respectfully requested.

Respectfully submitted,

Date: October 14, 2006

By Daniel J. Deneufbourg
Daniel J. Deneufbourg (Reg. No. 33,675)
37 Tuttle Avenue
Clarendon Hills, Illinois 60514
Phone: (630) 789-0919

Customer No. 000049055



CERTIFICATE OF MAILING

The undersigned hereby certifies that the foregoing AMENDMENT AND RESPONSE UNDER RULE 111 is being deposited with the United States Postal Service via Express Mail service (Express Mail Label No. ED 266505512 US) in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 14th day of October, 2006.



A handwritten signature in black ink, appearing to read "Daniel J. Beneufbourg".

Daniel J. Beneufbourg